

The Grand
C A S E
OF
SUBJECTION
TO THE
Higher Powers,
IN
M A T T E R S of R E L I G I O N,
R E S O L V E D.

To which is Added,

An **APPENDIX**

To a Late Book, Intituled,

A PLEA for LIBERTY of CONSCIENCE:

WHEREIN

The Kings Supream Power in Ecclesiastical
Matters, Is Asserted;

Humbly Shewing that the Kings Majesty hath Royal Power Sufficient to
Perform his Royal Promise, for Liberty of Conscience.

By *JAMES JONES*, a Protestant-Dissenter, and now a Pri-
soner in *Woodstreet-Compter* for Nonconformity.

PSAL. 105. 20.

*The King sent and loosed him: Even the Ruler of the People, and let him
go free.*

ECCLES. 1. 9.

*The thing that hath been, it is that which shall be; and that which is done, is
that which shall be done; and there is no New thing under the Sun.*

L O N D O N:

Printed by *George Larkin*, at the lower End of
Broadstreet, next to *London-Wall*. 1684

The Grand
CASE
 SUBJECTION
 TO THE
 Foreign Powers.

MATTERS OF RELIGION.
 RESOLVED.

An APPENDIX

TO A LATE BOOK, ENTITLED
 A PLEA FOR LIBERTY OF CONSCIENCE
 BY HENRY
 THE KING'S SUPREMACY IN ECCLESIASTICAL
 MATTERS IS ASSERTED;

Showing that the King's Majesty hath a Power sufficient to
 restrain the Royal Prerogative, from being of Conscience.

BY JAMES JONES, a Protestant Dissenter, and now a Pri-
 soner in Woodstock-Prison for Nonconformity.

The King's Majesty hath a Power sufficient to restrain the Royal Prerogative, from being of Conscience.

THE KING'S SUPREMACY IN ECCLESIASTICAL MATTERS IS ASSERTED;

Printed by George Lambkin at the lower End of
 Broadway, near to London-Wall. 1684.

to which I Answer, I say, that the meaning of the Apostle in this Text, as shall be fully demonstrated by the Reasons following:

THE

Grand Case

OF

SUBJECTION

TO

The Higher Powers.

IN

MATTERS of RELIGION, Resolved.

FOrasmuch as great Contention hath been, and still is, among Christians, Concerning a Right Subjection to the higher Powers, in Matters of Religion; All those Princes and States who by the Divine Providence, have the Supream Government in their Respective Dominions, making such Demands of Subjection from their Subjects, in Matters of Religion, as they cannot conscientiously Conform unto, in which they do not only Plead the Power of their own Laws, but would fain urge something from Divine Authority, that so Persons may yield Obedience unto them in their Established Worship, as a bounden Duty unto God; Therefore, the following Discourse upon this Subject, is Humbly Offered to the Consideration of all Rational and Conscientious Persons, of whatsoever sort or degree amongst Mankind; which shall be endeavoured in a Satisfactory Answer to the following Questions.

Quest. I.

Whether all sorts of Persons whatsoever, are bound to Conform to whatsoever Worship is or may be Established by the higher Powers, in their several Dominions; Because the Holy Apostle Paul in Rom. 13. 1. saith thus: Let every Soul be subject to the Higher Powers; for, there is no Power but of God; the Powers that be, are Ordained of God;

Answer.

To which I Answer, *Conformity to Every Established Worship*, cannot be the meaning of the Apostle in this Text; as shall be soberly demonstrated by the Reasons following:

First, Because then the Christian Religion would utterly cease in all those Countreys in which the contrary Religion is Established, and that by the Consent of the Christians themselves, who in Point of duty, must relinquish the Profession and Practice of the *Christian Religion*, and imbrace a Religion *Contrary to it*, because it is *Required by Authority*.

Secondly, Because then *Every Sort of Established Worship* would be Esteemed and Accounted the *true Worship of God*, how much soever such Worships may differ from, and be *Contradictory* to each other, whether it be *Mahometan-Worship*, *Indian-Worship*, *Jewish-Worship*, or *Popish-Worship* (as well as *Protestant-Worship*;) if it have but the Broad Seal of *Humane Authority* affixed unto it.

Thirdly, Because such a fence of that Scripture *Condemns* both the Profession, Practice, and Holy Zeal of *Peter and John*, who *Refused* to be subject to the *Authority of the Jews*, when they *Commanded* them, to preach no more in the Name of *Jesus*; for *Peter and John* said, *Whether it be Right in the Sight of God to Harken unto you more then unto God, judge ye*; For we cannot but speak the things that we have seen and heard.

Fourthly, Because this Sence of the fore-mentioned Scripture will *Condemn* the Profession and Practice of *Paul* himself; for he was *not a Conformist* to the *Established Worship* of those times, but was a great Sufferer under those that then were the higher Powers.

Objection.

But some will be ready to say, *That this was the Nonconformity of Christians, in not Submitting to the Idolatrous VVorship Established by Heathen Powers*; But the present Nonconformity is a not *Subjecting to Christian Powers*.

To which I Answer:

First, Consider that the words of *Paul* in the forementioned Text did *Require* Subjection to those that then were the higher Powers, and they were Heathen Powers, maintaining Idolatry, and punishing the Professors of Christianity: And therefore, if Subjection to *Established VVorship* be *all Required in this Text*, then it may be fairly Argued, that it was Required unto those that then were the *Heathen Powers*.

But *Secondly*, Consider that the Primitive Christians did not only *Refuse* Conformity in Matters of Religion to *Heathenish Powers*, but also to the *Higher Powers of the Jews*, who were a People that did Profess the Law of *Moses*, and the Doctrine of the Prophets; but they had mingled their own Inventions and Traditions with Gods Commandments, and were more zealous of their own ways then of Gods ways, as it was Revealed to them by the Prophets, and also by Christ and the Holy Apostles; and therefore the Christians of the Primitive time did *Refuse to Conform to them* in matters of *VVorship*, and chose rather to suffer under their Authority.

Thirdly,

Thirdly, Consider, that since those times, the Christians in many Countreys have not Subjected, so as to Conform to the Higher Powers in matters of Religion, though Established by *Christian Powers*; as for instance, the Protestants in *Italy, Germany, Bohemia, Spain, France*; and in these Kingdoms of *England Scotland, and Ireland*, they did not subject so as to Conform to Popery, when it was Established by Those that were in Authority.

Fourthly, Consider, That to allow of such a Sense of Pauls words, viz. *Subjection to the Higher Powers in Conforming to their Established Worship*, is highly to Condemn the generation of the Righteous, viz. the Faithful Suffering Servants of Christ, who under-went Cruel Deaths for not Subjecting to such matters of Religion as were imposed upon them; because this would render their Sufferings to be rather *Folly* then *Faithfulness*.

And then *Fifthly*, Consider that such a Sense of Pauls words as aforesaid, will lead Christians to be of any Religion that is or shall be Imposed upon them, viz. if Authority should impose Popery, as in Queen Maries days, then they must be Papists; and if Authority should impose Episcopal Protestantcy, as in Queen Elizabeth's, and now in our days, then they must turn such Protestants; and if Authority should like any of the ways of Worship now among the Dissenters, and so Establish that, then the People must Conform thereunto; viz. If Authority should like Presbytery better then Episcopacy, then the People must turn Presbyterians; and if Authority should like and Establish the way of such as are called Independants, Anabaptists, or Quakers, then the People must turn such also; and thus Religion would be always a changing, according to the differing Minds of such as may be in Authority; and so the Laws of men, instead of the Laws of God, would be the Rule for Worshipping of God; and this is the way to have the Commandments of men taught as if they were Divine Doctrines; and so bring men to Worship God in Vain, as Christ hath said, Mat. 15. 9. *But in Vain do they Worship me, Teaching for Doctrines the Commandments of Men.*

Question II.

But must not, or may not the Higher Powers be AT ALL Concerned in Establishing Religion in their several Dominions, for their Subjects to Conform thereunto?

Answer.

First, Such of the Higher Powers as are without the Knowledge and Profession of Christianity, are not capable to Establish Religion, so as to agree with the Will and Word of the Holy God; but they will be ready to Establish a Worship to a false God, as the poor ignorant Indians do; or else Establish the Worshipping of the true God in a false manner, as the Jews and Turks do; and I hope that none will Plead for the Conformity of Christians to such Established Worship.

Secondly, Such of the Higher Powers as are Christians, yea and such as are most Right in the Christian Religion, have not Received any Authority from Jesus Christ to establish his own Worship in their Dominions, so as to Exercise Outward Force, or by Punishments to Compel their Subjects to come to Christs Divine Service.

Objection.

But some will now be ready to say that Christ hath Required the COMPELLING of Persons to be brought to his Gospel-Feast: See Luke 14. 23. And the Lord said unto the Servant, Go out into the High-ways and Hedges, and COMPEL them to come in, that my House may be filled.

B

Answer.

That we may Rightly understand these words of Christ, we must consider what kind of *Compelling* is intended by Christ, whether it be *Magisterial* or *Ministerial* Compelling.

First, It cannot be *Magisterial*, so as to *Compel* by *Penal Laws*; Because Jesus Christ had not then given any such Power to the Magistrates of that time; for they were *Opposers* of Christ, his Doctrine, and his Ministers; and did what they could to *Compel* the Professors of Christ to Conform to them, in *Renouncing Christianity*: Thus speaketh Paul, when he acted by their Authority, *Act. 26. 10, 11. Which thing I also did in Jerusalem, and many of the Saints did I shut in Prison, having Received Authority from the Chief Priest; and when they were put to Death, I gave my Voice against them; and I punished them oft in every Synagogue, and COMPELLED them to Blasphemy, and being exceedingly mad against them, I Persecuted them unto strange Cities: And since that time Christ hath not given any Law to any of the Higher Powers to Compel any of their Subjects to come to his Divine Service, by Inflicting the Penalties of Imprisonment, and Forfeitures of great or small Sums of Money for their Neglect.*

Secondly, I do Humbly conceive that the *Compelling* which Christ intended, is to be understood *Ministerially*, *Viz.* That his Gospel-Ministers should take great Pains in the Ministry of the Word, so as to *Inform* Persons *Judgments*, *Convinces* their *Consciences*, and to *Convert* their *Souls*, that so they may from a Principle of Love to Christ and his Worship, Conform themselves thereunto. And if after all such Spiritual Means, Persons are not brought to Conform to the Doctrine and Ordinances of Christ, they must be left to those Punishments that Christ will inflict upon them for their Disobedience, *2 Thes. 1. 8, 9. Taking Vengeance on them that know not God, and that Obey not the Gospel of our Lord Jesus Christ, who shall be Punished with Everlasting Destruction from the Presence of the Lord, and from the Glory of his Power.*

But thirdly, I do Humbly conceive that the best of Christian Magistrates are and ought to be much concerned to promote the Christian Religion, in the Purity of it, according to the best of their Knowledge, (briefly thus:)

First, By being good Patterns themselves, in their own Profession and Practice of *Godliness*.

2. By Encouraging a Pious and Painful Ministry, to work upon Ignorant and Obstinate Persons, by *Sweet Intreaties* and *Strong Arguments*: But not at all to *Compel* Persons to *Comply* with Spiritual Matters by outward Punishments: because that is the ready way to make men *Hypocrites*, and such cannot be true Members, though they should Conform to the Best of Churches.

Question. III.

But, What kind of Subjection is intended unto the Higher Powers by those Words of the Apostle Paul, *Rom. 13. 1. Let every Soul be Subject to the Higher Powers?*

Answer.

Having already shewed that Gods Servants are not bound to be subject unto the Higher Powers in Conforming to their *Established Religion*, it is now meet that we should know what kind of Subjection the Apostle doth Require, that so we may not come short of our Duty to those that God hath set in Authority, which I shall endeavour to Resolve as followeth:

First, By *Subjcting to the Higher Powers*, in the meaning of the Holy Apostle, we are to understand not *Resisting the Higher Powers*, Considered as
the

the Ordinance of God, whose place and Office is to be a Terror to Evil Doers, and a Praise to them that do well. And if at any time these Higher Powers should miss of the Right Using of their Authority, and deal hardly with the Servants of God, then it is the Duty of Gods Servants to Exercise Patience, and not Resist, by seeking to Avenge themselves; see verse 2, 3. And this is the Doctrine of the same Apostle in Rom. 12. 18, 19. *If it be possible, live Peaceably with all men; Dearly Beloved, Avenge not your selves, but rather give place unto Wrath, for it is written, Vengeance is mine, I will Repay, saith the Lord.* And in verse 21. he saith, *Be not overcome of evil, but overcome evil with good;* and then cometh in these Words, *Let every Soul be subject to the Higher Powers.* And thus to be truly subject, is, not to Avenge our selves, but to be Peaceable under Authority, patiently Suffering for the Cause of Christianity: and unto this agrees the Counsel of Paul, Tit. 3. 1, 2. *Put them in Mind to be subject to Principalities and Powers, to Obey Magistrates, to be ready to every good Work; To speak Evil of no man, to be no Brawlers (or Fighters) but gentle, shewing all meekness unto all Men.*

Secondly, To be subject to the Higher Powers, in the true meaning of the Apostle, is, *Paying them their Tributes, and giving them such Reverence as is their due:* see verse 5, 6. *Wherefore ye must needs be subject, not only for Wrath, but for Conscience sake: for this Cause Pay you Tribute, for they are Gods Ministers, Attending continually upon this very thing: Render therefore to all, their dues; Tribute to whom Tribute is due, Custom to whom Custom, Fear to whom Fear, Honour to whom Honour.* And to this agreeth the Words of the Apostle Peter, 1 Pet. 2. 13, 14. *Submit your selves to every Ordinance of Man for the Lords sake, whether it be to the King as Supream, or unto Governours, as sent by him for the Punishment of Evil Doers, and for the Praise of them that do well.*

Now from these words of Peter, let these Particulars be considered, concerning Submitting to those in Authority.

1. It cannot fairly be understood to be the meaning of the Apostle, that the Servants of Christ should submit to every Ordinance of Man, considered as Decrees or Laws that such who were then in Authority had made, or should make, concerning Religious Matters, so as to OBEY and CONFORM thereunto; because then Christians must have left the Worship of God according to the Gospel, and have Conformed to the Worship of the Jews, when among them, and to the Worship of the Gentiles, when among the Gentiles; But, by Submitting to every Ordinance of Man, I do humbly conceive is meant a submitting to the several Orders and Degrees of Power and Dignity among Men, considered in Authority; viz. First, to the King, as the supream and chief in Authority, and Secondly, To such Governours as are sent or Comissionated by the King, to be in places of Authority, for the well managment of Affairs in his Kingdom, in the Right distribution of Justice; So as to punish the Evil Doers, and to incourage them that do Well, in all matters that should come before them between Man and Man: So that we may Read and Understand the Words of the Holy Apostle thus: Respecting the several Degrees of Persons in Authority in England: Let the King be submitted to, as the Supream Governour; and let his Privy Council, and the Lord Chancellor, or Lord Keeper, the Lord Chief Justice, with the other Judges, the Secretaries of State, and Attorney General, and also Justices of Peace, be all submitted unto, as unto Governours who are put into Authority by the King, who is Supream in the Government; So as each Party may have that Honour, that Respect, and Reverence, as is due unto them, suitable to that Dignity that the King hath Confered upon them; and this is according to the Exhortation of the Apostle Paul, Rom. 13. 7. *Render*

der therefore unto all their dues; viz. *Tribute, Custom, Fear, and Honour.*

And these Duties of the Saints must be suitable to, and Correspondent with their Christian Love to each other, in maintaining their Gospel Fellowship as a Brother-Hood, and the true Fear of God, as it is plainly Declared in the former discourse of the Apostle Peter, in 1 Pet. 2. 17. *Honour all Men, Love the Brother-Hood, Fear God, Honour the Kings.* In which Words of the Apostle, he taught the Servants of God in that Day, that while they were zealous in and for the matters of Christianity, they should also make Conscience of the matters of Humanity, in a right behaving of themselves towards all Men, and especially towards those that were in Authority, that so they might Practice according to the Doctrine of Christ, Luke 20. 25. *Render therefore unto Caesar the things which be Caesars, and unto God the things which be Gods.*

And this kind of Subjection to the Higher Powers, hath been the Profession, Principle, and Practice of the true Servants of God in all Ages, in times past; And it is now the Profession, Principle, and Practice of the *PROTESTANT-DISSENTERS* in General, in all parts of this Kingdom; and they have given great Demonstration of this thing, even when they have been divers times loaded with many Miseries, in being Prosecuted by *Penal Laws*, only for matters of Religion. And even now at this time, and above a Year past, they have been and still are Prosecuted divers ways; viz. By the Statute of the 23 of Elizabeth, many have been indicted thereupon for not coming to Common Prayer; The penalty whereof is Twenty Pounds a Month; and many have been Prosecuted by the *Conventicle-Act*, and so Suffered the loss of their Goods, or else have been forced to Pay the several sums of Money levied upon them, because they would not suffer a greater damage by the loss of their Goods.

And many have been Prosecuted as *Rioters*, for being at Protestant Peaceable Meetings, and have been Fined at the pleasure of some in Authority, and so have been forced to Pay such Fines, or else go to Prison.

And many have been Prosecuted by the *ECCLESIASTICAL COURTS* to Excommunication, and so cast into Goals by the Writ *de Excommunicato Capiendo*, only for not frequenting Common Prayer, and for not receiving the Sacrament in their Parish Church. And in this way of Prosecution, **Doctor PINFOLD** of Doctors Commons in London, hath done more harm to the Protestant-Dissenters than any one of the Ecclesiastical Doctors in England, having forced into the Prison called *Woodstreet-Compter* above Thirty Persons in less than thirteen Months time; and now at the time of the writing hereof, Two and twenty Honest Cittizens are in the said Prison, and several of them have been very sick, but God in his Mercy hath recovered them; and many because they cannot under-go such hardship as to be shut up in Prison from their Families and Trades, have purchased their Liberty at a Dear Rate, in giving great Sums of Money to Doctor PINFOLD, to take off the Excommunications; and so allow a few Months from hurrying them into Prison: But if they do not Conform in the time Allotted them, then they are Prosecuted again, so as to be sent to Prison, or else brought to a new Composition. And besides all this, many have been sent to the *New Prison*, being Protestant-Dissenters, taken at Protestant Meetings; Four and Twenty have been there at one time several weeks, but some are discharged; and since that, some more have been committed. And many have been committed to *Newgate*, one of which, viz. Mr. Francis Bampffield, a Nonconformist Minister, dyed in that Prison on the 16th of February last; and Mr. Zacharias Ralphson, another Nonconformist Minister imprisoned there, died the 20th of March following.

following. Mr. *Bampfild* was taken from his Meeting, where he was doing his Lords Work; and being brought before a Magistrate, had the Oath of Allegiance tendered to him; for Refusal whereof, he was first committed to Prison, and afterwards Premunired. Mr. *Ralphson* was taken from his own House, and committed to Prison, upon the *Five-mile Act*; and afterwards fined one hundred Marks for Publishing a Book Intituled, *An Apology for Gods Worship and Worshippers*. Both these Ministers were men of great Learning, Famous for true Godliness, and faithful Labourers in the Lords Vineyard: But now they rest from their Labours, and their Works follow them.

Now let this be soberly Considered, that the before-mentioned Prosecutions have been against, and have fallen upon his Majesties *Protestant* and *Peaceable Subjects*, who do make Conscience, and exercise a daily care to give such a Subjection to the Higher Powers, as *the Word of God doth Require*.

And as such Prosecutions for matters of Religion are without any Precept from *Christ*, so they are contrary to the *Royal Promise* of the *King*. For the full evidencing whereof, let the following Discourse be candidly Considered.

A N

APPENDIX

To a late Paper, called

A PLEA for LIBERTY of CONSCIENCE:

WHEREIN

The Kings Supream Power in Ecclesiastical Matters, is Further Asserted.

FOrasmuch as I have lately Published a small Book, Intituled, *A Plea for Liberty of Conscience, Grounded upon the Holy Word of God, and the Royal Word of the King*; I have since met with some Objections against the said Plea, as it is Grounded upon the *Kings Royal Promise*; some of the Kings liege Subjects affirming, That there is a Final End of the said Promise. But I do humbly conceive that my Plea for Liberty of Conscience is substantially founded upon those several Reasons therein soberly urged, and particularly upon his Majesties *Royal Promise*, as one of those Reasons: For the better clearing whereof, I must of necessity Recite his Majesties Princely Expressions when he Repeated his Promise a considerable time after it was first made. Pray see his Majesties Declaration of December 26. 1662. (Page 7.)

We well Remember the very words from Breda, viz. We do Declare a Liberty to Tender Consciences, and that no man shall be Disquieted or called in Question for Differences of Opinion in matters of Religion, which do not disturb the Peace of the Kingdom, and that we shall be ready to consent to such an Act of Parliament, as upon Mature Deliberation shall be offered to us, for the full Granting that Indulgence.

We well Remember the Confirmations we have made of them since, upon several Occasions in Parliament, and as all these things are still fresh in our Memory, so are we still firm in the Resolution of performing them to the full; But, it must not be wondered at, (since that Parliament to which those Promises were made, in Relation to an Act, never thought fit to offer us any to that purpose) that being so Zealous

as we are, (and by the Grace of God shall ever be) for the Maintenance of the True Protestant Religion, finding it to be Waken (not to say Overthrown) as we did, we should give its Establishment the Precedency before Matters of Indulgence to Dissenters from it: But that being once done, (as we hope it is sufficiently by the Bill of Uniformity) we are glad to lay hold on this Occasion, to Renew unto all our Loving Subjects Concerned in those promises of Indulgence, by a True Tenderness of Conscience, this Assurance, (Page 8.) That as in the first place, we have been Zealous to settle the Uniformity of the Church of England, in Discipline, Ceremony and Government, and shall ever constantly maintain it; so as for what Concerns the penalties upon those who (Living Peaceably) do not Conform therunto, through Scruple, and Tenderness of Misguided Conscience, but Modestly and without Scandal, perform their Devotions in their own way, we shall make it our special Care, so far forth as in us lies, without Infringing the Freedom of Parliament, to incline their Wisdom at the next Approaching Sessions, to concur with us in the making some such Act for that purpose, as to Enable us to Exercise with a more Universal Satisfaction, THAT POWER OF DISPENSING, which we conceive to be INHERENT IN US; nor can we doubt of their cheerful Co-operating with us in a thing wherein we do conceive our selves so far Engaged both in Honour, and in what we owe to the peace of our Dominions, (Page 9.) which we profess we can never think secure, whilst there shall be a Colour left to the Malicious and Disaffected, to inflame the minds of so many Multitudes upon the score of Conscience, with despair of ever obtaining any Effect of our promises for their Ease.

Objections.

Objection I. But some will be ready to Object and say, That since this his Majesties Declaration, the House of Commons did Vote and Resolve in Feb. 1663. First, That the thanks of this House be returned to his Majesty, for his Resolution to maintain the Act of Uniformity.

Secondly, That it be presented to the Kings Majesty as the humble advice of this House, that no Indulgence be granted to the Dissenters from the Act of Uniformity.

Objection II. And since this Advice, an Act of Parliament hath been made for the punishing of such as are Dissenters from the Church of England. See the Act against Conventicles, April, 1670.

Answer.

Let not these things be thought to be Unanswerable Objections, and so Conclude that there is a Total and Final End of that GOOD contained in the Kings Promise, (viz. Liberty of Conscience.) And therefore let these few following things be soberly Considered, as an Answer to the former Objections.

First, Consider who did best, the KING in making this Promise, of so great a Good, to so great a Body of his Subjects, as the Protestant-Dissenters are, and pressing the compleat Performance of it; or the House of Commons, in advising the King to the contrary; Especially Considering the great strength of Argument in the Kings Words, in the before-mentioned Declaration, (Page 9.) Wee do conceive our selves so far ingaged, Both in Honour and in what we owe to the Peace of our Dominions, which we profess we can never think secure, whilst there shall be a Colour left to the Malicious and Disaffected, to inflame the minds of so many multitudes upon the score of Conscience, with despair of ever obtaining any Effect of our promises for their Ease.

Secondly

Secondly, Consider that the Votes and Advice of a *House of Commons*, cannot wholly make Null and Void the Promise of a KING, if the matter of the Promise be Good and Lawful in it self; And especially if the King hath a legal Power in himself to perform such Promise, or any Part thereof.

Thirdly, Consider that though that *House of Commons* did Vote and Advise not to grant the Promised Indulgence by Act of Parliament, yet they did not (neither could they) thereby, viz. By their Votes, take away the Power of the King in Ecclesiasticall matters, so as he should not Suspend or Abate the severe Prosecutions of the Laws in matters of Religion, which is the first part of his Majesties Royal Promise, viz. That no Man shall be disquietered or called in Question for Differences of Opinion, in matters of Religion, which do not disturb the Peace of the Kingdom.

Fourthly, Consider that though the *House of Commons*, at that time did not think meet to Establish Liberty of Conscience by a Law: Yet they left the King in the Injoyment of his Supream Power, to Dispense with the Penalties of such Laws as were already made against Dissenters from the Church of England.

Fifthly, Consider that his Majesty hath Declared in the fore-mentioned Declaration, that he did conceive, that he had an Inherent Power in himself, to dispence with the Penalties attending his Subjects, who living Peaceably could not Conform, But did Modestly and without Scandal perform their Devotions in their own way. (See Page 8.)

Sixthly, Consider that though the Parliament long after this, did make an Act against Seditious Conventicles in the Year 1670. Yet they were very careful to Reserve unto the King his Supream Power in Ecclesiastical Affairs; (See Page 24 of the said Act, thus Worded:) provided also, That neither this Act, nor any thing therein contained, shall Extend to Invalidate or Avoid his Majesties Supremacy in Ecclesiastical Affairs; but that his Majesty and his Heirs and Successors may from time to time, and at all times hereafter, Exercise and Enjoy all powers and Authorities in all Ecclesiastical Affairs, as fully and as amply as himself or any of his predecessors have or might have done the same, any thing in this Act notwithstanding.

Seventhly, Consider that after this Act had been Severely Prosecuted against the Protestant-Dissenters, in many parts of this Kingdom, to the very great damage of many Protestant Families, his Majesty was pleased to take this matter into his Princely Consideration, and did think himself Obligated to make use of his Supream Power in Ecclesiastical Matters, for Ease and Relief of his distressed Subjects.

See his Majesties Declaration to all his loving Subjects, published by the Advice of his Privy-Counsel, March 15. 1671. Which runs thus: (Page 3.) Our Care and Endeavours for the preservation of the Rights and Interests of the Church have been sufficiently manifest to the world, by the whole course of our Government, since our Happy Restauration, and by the many & frequent ways of coercion that we have used for reducing all Erring or Dissenting persons, and for composing the unhappy differences in matters of Religion, which we found among our Subjects upon our Return: (Page 4.) But it being evident by the sad Experience of twelve Years, that there is very little Fruit of all those forceable courses, we think our self Obligated to make use of that Supream Power in Ecclesiastical Matters, which is not only INHERENT IN US, but hath been DECLARED and RECOGNIZED to be so by SEVERAL STATUTES and ACTS OF PARLIAMENT; and therefore we do now accordingly issue this our Declaration, as well for the quieting the minds of our good Subjects in those points, for the inviting Strangers in this conjuncture, to come and Live

under us, and for the better Encouragement of all, to a cheerful Following of their Trade and callings; from whence we hope by the Blessing of God, to have many Good and happy Advantages to our Government. (Page 5.) We do declare our will and pleasure to be, that the Execution of all, and all manner of Penal Laws in matters Ecclesiastical, against whatsoever Sort of Nonconformist or Recusants, BE IMMEDIATELY SUSPENDED, and they are Suspende. And all Judges, Judges of Assize, and Gaol Delivery, Sheriffs, Justices of the Peace, Mayors, Bayliffs and other Officers whatsoever, whether Ecclesiastical or Civil, are to take notice of it, and pay due Obedience thereunto.

Objection III. But some will yet further Object and say, That the House of Commons at the sitting of the Parliament after this Declaration, did disapprove of this Indulgence as it was Granted by the King.

Answer I. What is before replied to the first Objection, concerning the Resolves and Advice of the House of Commons in 1663: may very well serve as an Answer to this Objection, viz. That the Votes of the House of Commons doth not take away, nor deprive his Majesty of his Supream Power in Ecclesiastical Affairs to DISPENCE WITH THE PENALTIES, and SUSPEND THE SEVERE PROSECUTION OF THE LAWS in matters of Religion, for ease of his Protestant and Peaceable Subjects.

Answer II. And besides this, if there be any Argument from the Votes and Resolves of the House of Commons in 63. When they OPPOSED what the King Pressed for, as the Performance of so great and so good a Promise, it is humbly conceived, There is much more Argument from what was Voted and Resolved by that House of Commons, in November 1680. In these words: *Sabbati Sexto die Nov. 1680. Resolved Nemine Contradicente, That it is the Opinion of this House, that the Acts of Parliament made in the Reign of Queen Elizabeth, and King James against Popish Recusants, ought not to be Extended against Protestant Dissenters.* Forasmuch as this House of Commons is to be taken to be an Expiration of former Penal Statutes, as now being designed against Protestants; But more especially the Argument is, Because the Resolve of the House of Commons in Nov. 1680. doth Agree with his Majesties Royal Promise, that his Protestant and Peaceable Subjects should not be disquieted for Matters of Religion.

Now from these things, soberly Considered, It may be safely concluded, That His Majesty hath Sufficient Power to perform his Royal Promise:

And if the Poor Protestant-Dissenters must be spoiled by severe Prosecutions, It is not for want of Power, nor for want of Power on the Kings part to help them; Forasmuch as the King hath asserted, That he hath a Supream Power in Ecclesiastical Affairs, not only in himself, but Recognized by divers Statutes and Acts of Parliament.

And therefore it is humbly and heartily desired, that his Majesty would be Graciously Pleased to give his Royal Power to the Protestant Dissenters, that they may be enabled to perform their Duty to God and their Country, and thereby to have many good and happy Advantages to his Government thereby.

Entred According to Order.

F I N I S.